

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:10cv214

THIS MATTER is before the Court on the Defendants' Motion for Summary Judgment [Doc. 43]. The Court held a hearing on this motion on August 24, 2012.

For the reasons stated in open court, the Defendants' Motion is denied.

IT IS, THEREFORE, ORDERED that the Defendants' Motion for Summary Judgment [Doc. 43] is **DENIED**.

IT IS SO ORDERED.

Signed: August 27, 2012

Martin Reidinger
United States District Judge

